

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN VON STAICH,
Petitioner,
v.
U.S. PAROLE COMMISSIONER,
Respondent.

No. 2:21-cv-0550 KJN P

ORDER

Petitioner, a prisoner proceeding pro se, has filed an application for a writ of mandamus pursuant to 28 U.S.C. § 1651. In his application, petitioner challenges his incarceration in the Fresno County Jail.¹ Fresno County is part of the Fresno Division of the United States District Court for the Eastern District of California. See Local Rule 120(d).

Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper division of a court may, on the court's own motion, be transferred to the proper division of the court. Therefore, this action will be transferred to the Fresno Division of the court.

¹ Petitioner claims that he is being held in the Fresno County Jail based on an "unenforceable" 37 years old federal warrant for an alleged parole violation. Based on this claim, and petitioner's incarceration in the Fresno County Jail, venue appears appropriate in the Fresno Division of the court. See also 2: 21-cv-0088 DAD JLT P (ECF No. 1 at 59-62) (December 28, 2020 letter from First District Appellate Project to United States Parole Commission seeking information regarding status of petitioner's parole violation detainer and request for withdrawal or cancellation).

Good cause appearing, IT IS HEREBY ORDERED that:

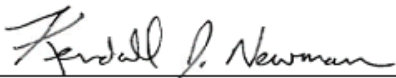
1. This action is transferred to the United States District Court for the Eastern District of California sitting in Fresno; and

2. All future filings shall reference the new Fresno case number assigned and shall be filed at:

United States District Court
Eastern District of California
2500 Tulare Street
Fresno, CA 93721

Dated: April 15, 2021

stai0550.109


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE